

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 03 HANOI 002040

SIPDIS

SENSITIVE

E.O. 12958: N/A

TAGS: [PREF](#) [PREL](#) [PHUM](#) [CB](#) [VM](#) [ASEAN](#) [ETMIN](#) [HUMANR](#)

SUBJECT: UNHCR Bangkok rep visits Hanoi, debriefs Ambassador and diplomatic community on his visit to the Central Highlands

REF: (A) Hanoi 1972 and previous, (B) HCMC 811 and previous

1. (SBU) Summary: UNHCR Regional Representative Hasim Utkan briefed the Ambassador August 5 on his recent trip with UNHCR's Hanoi Chief of Mission, Vu Anh Son, to Gia Lai Province in the Central Highlands. Gia Lai is where nearly all of the 94 migrants recently deported from Cambodia arrived. Utkan subsequently met with Deputy Foreign Minister Le Cong Phung and then with the diplomatic and NGO community at a local hotel. Utkan reported that UNHCR staff were able to travel whenever they wished, wherever they wished, and were able to meet whomever they wished, though he was accompanied by GVN officials for part of the trip. He added that the deportees did not appear to have been mistreated. The Ambassador and Utkan also discussed the status of UNHCR's request for an international chief of mission for its Hanoi office and concerns regarding Khmer Krom populations in Cambodia and Thailand as well as Cambodian refugees in Vietnam. End Summary.

2. (SBU) On August 5 UNHCR Regional Representative Hasim Utkan told the Ambassador that he had traveled to the Central Highlands with UNHCR Hanoi Chief of Mission Vu Anh Son August 2-4. They had chosen their dates of travel, he said, after the GVN told them they could go "whenever they wished." While in Gia Lai, they met the Deputy Chairman of the Provincial People's Committee and visited two districts: Ia Grai and Chu Se. In Ia Grai, they met ten returnees in two groups, one group of three and one of seven. The returnees were from different communes. Utkan noted that they were allowed to see any individual they asked for by name, including those who had been identified by NGOs as being at risk of abuse or retaliation if they returned to Vietnam. Utkan said he also was able to visit one returnee who had been returned in March and who NGO groups had said was in jail. (He was not.) Of the ten returnees they visited in Ia Grai, six were from the group of 94 recently returned, and four had previously been voluntarily repatriated. Utkan said UNHCR was seeing some of them for the second or third time since May, so they were becoming familiar, and UNHCR had increasing confidence that they are not being mistreated. He confirmed that the returnees he saw had received assistance in the form of rice, cooking oil, seeds and seedlings and food. One of the returnees seemed "shy and withdrawn," but the others were forthcoming. "Their attitude was more bored than nervous," he reported.

3. (SBU) Utkan asked the returnees, whom he characterized as "young," why they had left. They responded that "others have left before." The returnees said they had paid 200-300,000 dong (13-20 USD) to an unidentified "organizer" who helped them with the logistics of the journey.

4. (SBU) Utkan said that he had been accompanied by one Ministry of Foreign Affairs Consular Department official, one journalist and two representatives of the People's Committee. He did not think any of the officials were plainclothes security officers. The People's Committee had originally agreed to allow private meetings, but the meeting place in the first village was a one-room building, and there was a giant rainstorm, so as a result the officials needed to be in the same room during the interviews for shelter. In the second village, he was able to meet with the returnees alone.

5. (SBU) One of those interviews was with a returnee that Jesuit Relief Services had singled out as being in danger of retaliation if he returned to Vietnam. Utkan spoke to him alone and learned that the returnee is the son of the village chief. After his return, he had a job offer to work at a state-owned farm and had applied for 4,000 square meters of land for cultivation. He also had a backup job offer available if the farm job turned out to be unattractive to him. Two other returnees also had offers to work at state farms, Utkan said.

6. (SBU) The UNHCR team traveled further into Gia Lai Province to visit a vocational center, where they met eight returnees, four of whom were recent returnees. All eight had begun an agricultural production course. Utkan described their attitude as "relaxed" and said that the local officials "seemed to have received the message to

cooperate with us." UNHCR had come with a list of its own cases of concern and had been able to meet with every single individual they sought.

17. (SBU) Utkan told the Ambassador he had raised the issue of "refuseniks," or migrants eligible for resettlement who refused to accept resettlement offers, with the Cambodian Foreign Minister, and had recommended to the FM that the Cambodian Government (RCG) would be better off putting refuseniks in jail rather than deporting them to Vietnam. Due to the notoriety of some of these individuals, it would be very difficult to demonstrate that they would not face persecution in Vietnam, Utkan noted.

18. (SBU) Utkan told the Ambassador he had suggested to UNHCR Geneva that the High Commissioner write to the Cambodian Minister of Foreign Affairs to encourage the RCG to review the accomplishments of the trilateral MOU and determine where the MOU is not working, as well as discuss refuseniks and deportations. The High Commissioner had sent that letter to both the Cambodian and Vietnamese Ministries of Foreign Affairs. The letter also encouraged Vietnam to accept the international chief of mission candidate that UNHCR has proposed for UNHCR's Hanoi office.

19. (SBU) The Ambassador praised Vu Anh Son's work as COM of UNHCR's Vietnam office and advised Utkan that he had heard that the GVN is resistant to the idea of a foreign UNHCR head in Vietnam. The GVN sees adding a foreigner to UNHCR's Vietnam office as raising the profile of that office and thus indicating that there is a larger problem than actually exists. The arguments the United States has made in favor of an international COM have not carried the day, he said, and UNHCR should be prepared for a negative response from the GVN. The Ambassador encouraged Utkan to consider when continued pressure for international staff will become counterproductive for UNHCR. A more effective strategy might be to press for unrestricted access to the Central Highlands and other areas from Bangkok, including by the individual UNHCR has in mind for a permanent posting in Hanoi. Utkan was receptive to that suggestion, noting that this would allow the individual (reportedly an Italian) to contribute productively to UNHCR's efforts rather than waiting fruitlessly for agreement from the GVN.

10. (SBU) Utkan admitted that "all decisions on status determinations for Vietnamese migrants" are now made based on Human Rights Watch reports. "This is not good," he said. One key reason for appointing an international chief of mission for the Vietnam office is to provide a credible alternative to the reports produced by HRW and others. UNHCR suspects the situation is more positive than UNHCR hears from NGOs. He acknowledged that 90 percent of UNHCR's concerns in Vietnam originate in Gia Lai Province, and that it is possible to get Son to that province within three days of an allegation. Utkan also noted that in recent months he has not heard the usual allegations of beatings and torture, and that on his own trip to the region he did not see any evidence of that sort of abuse.

11. (SBU) Utkan advised the Ambassador that UNHCR's Executive Committee will meet at the end of September and will address the issue of Southeast Asia and Vietnam. The week before that meeting will be devoted to discussions and consultations with NGOs. Utkan said it is very important that UNHCR be well-informed for that meeting, and so UNHCR plans another trip to the Central Highlands soon, possibly before the end of August.

#### NON-CENTRAL HIGHLANDS CONCERNS -----

12. (SBU) Central Highlands migrants are not UNHCR's only concern in Vietnam, Utkan told the Ambassador. UNHCR has recently received an increased number of applications for refugee status from Khmer Krom in Phnom Penh and Bangkok. In Bangkok, all the claims were rejected, while the Phnom Penh claims are still in the processing stage, with one claim accepted. The Khmer Krom issue has been dormant for years, Utkan explained, with perhaps four or five applications in the space of two years, but former King Sihanouk began agitating three or four months ago and brought the issue to the forefront. The largest group of Khmer Krom is living in a pagoda in Phnom Penh, he said, and this population said in the past it wants living assistance rather than resettlement. In recent days, however, they have asked for resettlement, encouraged by a group called the Khmer Krom Federation which UNHCR believes has a close connection to the Montagnard Foundation.

13. (SBU) In Phnom Penh, Utkan continued, UNHCR passed the question of Khmer Krom status to the RCG, which has issued a formal statement saying that all Khmer Krom are Cambodian citizens. In Bangkok, the Khmer Krom who were rejected for refugee status are the Royal Thai Government's problem; all have disappeared into Bangkok where they are believed to be living illegally. Utkan said he is personally uncomfortable

with the decision to grant refugee status in the one case in Cambodia, because the case is weak. However, he said, withdrawing status "is a nightmare" so it will probably stand.

14. (SBU) Another issue on the horizon, Utkan said, is the more than 10,000 Cambodian refugees of Chinese origin who currently reside in refugee camps, in Ho Chi Minh City and in Dong Nai Province in southern Vietnam. They came over from Cambodia in 1979, and the RCG denies that they are Cambodian citizens, so they remain in a kind of stateless limbo. Utkan told Econoff later that he had suggested to Vice Foreign Minister Phung that Vietnam should grant Vietnamese nationality to the Cambodian refugees in order to solve the problem of their status. Phung's response was that the Cambodian issue is "very delicate" for the GVN.

15. (SBU) Utkan also told Econoff that Phung confirmed with him that Vietnam is willing to permit its citizens to immigrate to the United States under the "family reunification program." Phung told Utkan that Prime Minister Phan Van Khai "expressed concern" over the delays in departures under that program. (Note: It is not clear whether the PM or Phung are talking about the Humanitarian Resettlement program or the Visas 93 follow-to-join cases. If it is the latter, they certainly should know that the delays in departures are caused entirely by obstructionist bureaucrats mainly in Dak Lak Province. The Ambassador and the rest of the Mission have raised this issue repeatedly at every level of the GVN. End Note.)

MARINE